



Nebraska Registration Application for Nonresident Contractor

• Read instructions on reverse side

FORM
24

PLEASE DO NOT WRITE IN THIS SPACE

1 Do you hold, or have you previously held, a Nebraska Identification Number? <input type="checkbox"/> YES <input type="checkbox"/> NO If Yes, give the number _____	2 Federal Employer Identification Number _____	3 For Dept. Use Only _____	4 _____
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NAME AND LOCATION ADDRESS (Print Clearly)			NAME AND MAILING ADDRESS		
Name Doing Business As (DBA) _____			Name _____		
Legal Name _____			_____		
Street Address (Do Not Use P.O. Box) _____			Street or Other Mailing Address _____		
City _____	State _____	Zip Code _____	City _____	State _____	Zip Code _____

5 Name and Address of Legal Entity/Owner _____

6 Identify Owner and Spouse (if joint ownership), Partners, Members, or Corporation Officers (One of the listed individuals must sign as Applicant)		
Social Security Number	Name, Address, City, State, Zip Code	Title, If Corporate Officer
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7 Type of Ownership

- | | | |
|--|--|---|
| (1) <input type="checkbox"/> Sole Proprietorship | (5) <input type="checkbox"/> Foreign Corporation | (9) <input type="checkbox"/> Nonprofit Organization |
| (2) <input type="checkbox"/> Partnership | (6) <input type="checkbox"/> Domesticated Corporation | (10) <input type="checkbox"/> Cooperative |
| (3) <input type="checkbox"/> Nonprofit Corporation | (7) <input type="checkbox"/> Governmental | (11) <input type="checkbox"/> Limited Liability Company |
| (4) <input type="checkbox"/> Domestic Corporation | (8) <input type="checkbox"/> Fiduciary (Estate or Trust) | |

8 Accounting Basis

- (1) ☐ Cash
(2) ☐ Accrual
(3) ☐ Other _____

9 Accounting Period (Type of Year)

- (1) ☐ Calendar Year - January 1 to December 31
(2) ☐ Fiscal Year - 12 Month Ending _____
(3) ☐ Fiscal Year - 52 or 53 Week Ending _____

10 Location of Records

- (1) ☐ Same as Location Address (3) ☐ Other Address
(2) ☐ Same as Mailing Address

Address _____ City _____ State _____ Zip Code _____

CONTRACTOR ELECTION FOR SALES AND USE TAX ON BUILDING MATERIALS AND FIXTURES

As required for all contractors, I hereby make my sales and use tax election. I have read the description of the three options on the back of this application and am aware of the sales and use tax obligations associated with the election I make.

- ☐ Option 1 – Retailer – Tax-Free Inventory ☐ Option 2 – Contractor – Tax-Paid Inventory ☐ Option 3 – Contractor – Tax-Free Inventory

• IF YOU WILL BE STARTING A PROJECT IN NEBRASKA SOON, APPLY FOR THE REQUIRED ADDITIONAL TAX PROGRAM(S) HERE.

Check Type of Program(s) Being Applied for:

- | | MO | DAY | YEAR |
|---|----|-----|------|
| <input type="checkbox"/> Sales and Use Tax — No Fee — Enter date of first project in Nebraska..... | | | |
| <input type="checkbox"/> Income Tax Withholding — No Fee — Enter date of first wages paid for project in Nebraska | | | |

For the above tax program(s), you will be set-up to file on a quarterly filing frequency.

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Corporation Income Tax — No Fee — Enter beginning date | | | |
| Are you an S Corporation? <input type="checkbox"/> YES <input type="checkbox"/> NO | | | |
| <input type="checkbox"/> Partnership Income Tax — No Fee — Enter beginning date..... | | | |

Under penalties of law, I declare that I have examined this application, and to the best of my knowledge and belief, it is correct and complete.

sign
here

Signature of Owner, Partner, Member, Corporate Officer,
or Person Authorized by Attached Power of Attorney

Title _____

Date _____

()
Area Code and Telephone Number

()
Cellular Telephone Number

Visit our Web site: www.revenue.ne.gov or call 1-800-742-7474 (toll free in NE and IA) or 1-402-471-5729.

Mail this application and \$25 fee to: NEBRASKA DEPARTMENT OF REVENUE, P.O. BOX 98903, LINCOLN, NE 68509-8903

INSTRUCTIONS

WHO MUST FILE. Every nonresident contractor who intends to do contracting work in Nebraska and every nonresident person or business providing or arranging for labor for any construction, alteration, repair, or demolition work on real estate or tangible personal property in Nebraska must file a Nebraska Registration Application for Nonresident Contractor, Form 24. For additional information, refer to the Nebraska Nonresident Contractor Program Information Guide.

WHEN TO FILE. This application **and \$25 fee** must be filed before any work is commenced in Nebraska.

PROJECT PERMIT. A separate Nebraska Project Permit Application for Nonresident Contractor, Form 24A, **with a \$25 fee** and applicable security must be submitted for **each** project undertaken within Nebraska.

For additional information, refer to the Nebraska Nonresident Contractor Program Information Guide.

AUTHORIZED SIGNATURE. This application must be signed by the owner, partner, member, corporate officer, or other individual authorized to sign by a power of attorney either attached or on file with the Nebraska Department of Revenue.

TAXES RELATED TO DOING BUSINESS IN NEBRASKA

Nonresident Employee Withholding for Wages Earned in Nebraska

A nonresident contractor or subcontractor who has an office in, or who engages in business in, Nebraska is required to withhold income tax on all wages paid for services performed within Nebraska and to remit such amounts to the Department of Revenue. For certain nonresident employees, the tax withheld and remitted may be determined pursuant to miles, time, or money earned in Nebraska (see Withholding Regulations 21-004 and 21-006). Applicable forms include Forms 941N and W-3N.

Withholding for Personal Services Paid to Other Nonresidents

A nonresident contractor must withhold on such payments if the contractor is: (1) making a payment or payments in excess of \$5,000; or (2) maintaining an office or transacting business within Nebraska and making payments in excess of \$600. Withholding of personal service income is reported on Nebraska Withholding Certificate for Nonresident Individuals, Form W-4NA.

Personal services do not include services performed where the capital furnished by the nonresident is a material income producing factor. This will exist whenever the value of the use of capital, or the value of the capital furnished, is in excess of 50 percent of the amount of the payment. An example of such services includes construction of improvements to real estate when the nonresident contractor furnishes the materials incorporated into the improvement.

Nonresident Contractor Sole Proprietorship Income Tax Filing Requirements

A nonresident contractor who is a sole proprietorship or independent contractor must file a Nebraska Individual Income Tax Return, Form 1040N, to report income derived from the contractor's Nebraska contracts. Income derived from within this state also includes income distributions that the nonresident contractor receives from any S corporation, limited liability company, or partnership that is doing business in this state.

Nonresident Contractor Corporation Income Tax Filing Requirements

If the nonresident contractor is a corporation doing business in this state, a Nebraska Corporation Income Tax Return, Form 1120N, must be filed to report the income of the corporation. The tax base is federal taxable income. If the business is multistate, the income is apportioned to Nebraska using a "sales only" factor. A combined return is required if the business is part of a unitary group.

A business that is organized as a partnership, limited liability company, or S corporation must file the appropriate Nebraska

return to report the Nebraska share of federal taxable income distributed to partners, members, or shareholders.

Sales and Use Tax Requirements

All contractors, both resident and nonresident, are retailers and must be licensed for Nebraska sales tax. Contractors are required to collect and remit sales tax on contractor labor. The "Contractor Election" below determines how sales tax is paid on building materials and fixtures. Certain contractor labor is exempt from sales tax. Refer to the information guide titled Nebraska Taxation of Contractors General Information for further information.

Contractor Election

Contractors have three options from which to choose regarding how they will satisfy their sales and use tax liability on building materials and fixtures. **All contractors should elect an option.** Options are identified below, and the election is made on the front of this application.

- Under **Option 1**, I elect to maintain a tax-free inventory of those building materials intended to be annexed to real estate or used to repair property annexed to real estate. I will collect and remit sales tax on the total amount charged to the customer for a taxable construction or repair project. For a project where the contractor labor is exempt, I will collect and remit sales tax on the total amount charged for materials. I will pay sales or use tax on all tools and supplies used by me in the completion of the project. I will collect and remit sales tax on the selling price for over-the-counter sales.
- Under **Option 2**, I elect to maintain a tax-paid inventory of those building materials intended to be annexed to real estate or used to repair property annexed to real estate. I will collect and remit sales tax on all construction and repair projects involving taxable contractor labor using the appropriate contractor labor percentage. I will pay consumer's use tax on all purchases, including building materials, when the applicable sales and use tax has not been paid. I will pay sales or use tax on all tools and supplies used by me in the completion of the project.
- Under **Option 3**, I elect to maintain a tax-free inventory of those building materials intended to be annexed to real estate or used to repair property annexed to real estate. I will remit consumer's use tax at the rate in effect at the time and place those materials are withdrawn from my inventory. I will collect and remit sales tax on all construction and repair projects involving contractor labor using the applicable contractor labor percentage. I will pay sales and use tax on all tools and supplies used by me in the completion of the project.